



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

426 W. Lancaster Avenue, Suite 200  
Devon, PA 19333

August 25, 2023

**VIA E-MAIL**

Office of the New Hampshire Attorney General  
Consumer Protection & Antitrust Bureau  
33 Capitol Street  
Concord, NH 03301  
E-mail: [DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

**Re: Supplemental Notice of Data Event**

To Whom It May Concern:

We continue to represent Harvard Pilgrim Health Care (“Harvard Pilgrim”) located at 1 Wellness Way, Canton, MA 02021 and write on behalf of Harvard Pilgrim and its applicable business associates, including United Healthcare, to supplement our June 15, 2023 and July 20, 2023 notices. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Harvard Pilgrim does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

On August 25, 2023, Harvard Pilgrim continued to provide written notice of the incident to approximately three thousand one hundred twelve (3,112) additional New Hampshire residents for whom it believed it had valid mailing address information. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at

Very truly yours,

Ryan C. Loughlin of  
MULLEN COUGHLIN LLC

RCL/kzf  
Enclosure

# **EXHIBIT A**



Return to IDX  
P.O. Box 989728  
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip>>  
<<COUNTRY>>

August 25, 2023

Dear <<First Name>> <<Last Name>>,

Harvard Pilgrim Health Care (“Harvard Pilgrim”) is writing to inform you of a cybersecurity incident that may involve your personal information and/or protected health information. We are providing information about the measures Harvard Pilgrim has taken in response to the incident, and steps you can take to help protect yourself against possible misuse of information.

### **What Happened**

Harvard Pilgrim and UnitedHealthcare (“UHC”) participate in an alliance relationship in support of joint product offerings. We provide services to support the administration of these products, including eligibility verification and claims pricing for Harvard Pilgrim contracted providers. On April 17, 2023, Harvard Pilgrim discovered it was the victim of a cybersecurity ransomware incident that impacted systems used to service clients, including UHC. After detecting the unauthorized party, we proactively took our systems offline to contain the threat. We notified law enforcement and regulators and are working with third-party cybersecurity experts to conduct a thorough investigation into this incident and remediate the situation.

We take the privacy and security of the data entrusted to us seriously. We are continuing our active investigation and conducting extensive system reviews and analysis as we resume our normal business operations. Unfortunately, the investigation identified signs that data was copied and taken from Harvard Pilgrim systems from March 28, 2023, to April 17, 2023. On June 21, 2023, we determined that the files at issue may contain your personal information and/or protected health information through our relationship with UHC.

### **What Information Was Involved**

The personal information and/or protected health information in the files at issue may include your

Harvard Pilgrim is not aware of any misuse of your personal information or protected health information as a result of this incident.

### **What We Are Doing**

As explained above, Harvard Pilgrim took immediate steps to secure its systems and engaged third-party forensic experts to assist in the investigation. Further, in response to this incident, we implemented and/or are continuing to implement additional cybersecurity safeguards to our existing robust infrastructure to better minimize the likelihood of this type of event occurring again.



### **What You Can Do**

We recommend that you remain vigilant, monitor and review all of your financial and account statements and explanations of benefits, and report any unusual activity to the institution that issued the record and to law enforcement. You may also review the guidance contained in *Steps You Can Take to Protect Personal Information*.

Additionally, Harvard Pilgrim is providing you with the opportunity to register for \_\_\_\_\_ of complimentary credit monitoring and identity protection services through IDX. Although we are making these services available to you, we are unable to enroll you directly. For enrollment instructions, please review the information contained in the attached *Steps You Can Take to Protect Personal Information*.

### **For More Information**

The security of your protected health information is a top priority for us. We sincerely regret this incident occurred and for any concern it may cause you. We understand that you may have additional questions. For assistance with questions regarding this incident, please call IDX at \_\_\_\_\_ or go to <https://response.idx.us/HPHC>. Representatives are available between the hours of 9:00 am to 9:00 pm Eastern time, Monday through Friday (excluding U.S. holidays).

Sincerely,

Christopher Walsh  
VP, Privacy & Fraud Prevention and Recovery  
Point32Health



## Steps You Can Take To Protect Personal Information

### Enroll in Monitoring Services

Enrollment Code: <<Enrollment Code>>

Go to <https://response.idx.us/HPHC> and follow the instructions for enrollment using your Enrollment Code above. Additionally, you may call the IDX call center at (toll free), Monday through Friday from 9:00 a.m. to 9:00 p.m. ET, excluding U.S. holidays. Please note the deadline to enroll is

### Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094



### **Additional Information**

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; [www.identitytheft.gov](http://www.identitytheft.gov); 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

*For California Residents*, you can obtain additional information from the California Department of Justice's Privacy Enforcement and Protection Unit (<https://oag.ca.gov/privacy>) to learn more about protection against identity theft.

*For District of Columbia residents*, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and [oag.dc.gov](http://oag.dc.gov).

*For Iowa Residents*, you may contact law enforcement or the Iowa Attorney General's office to report suspected incidents of identity theft. The Iowa Attorney General's Office can be reached at:

Iowa Attorney General's Office  
Director of Consumer Protection Division  
1305 E. Walnut Street  
Des Moines, IA 50319

Phone: 1-515-281-5926

Website: [www.iowattorneygeneral.gov](http://www.iowattorneygeneral.gov)

*For Maryland residents*, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

*For Massachusetts residents*, you have the right to obtain a police report with respect to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

*For New Mexico residents*, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

*For New York residents*, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.



*For North Carolina residents*, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and [www.ncdoj.gov](http://www.ncdoj.gov).

*For Oregon residents*, state laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission. You can contact the Oregon Department of Justice at:

Oregon Department of Justice  
1162 Court Street NE  
Salem, OR 97301

Phone: 1-877-877-9392  
Website: [www.doj.state.or.us](http://www.doj.state.or.us)

*For Rhode Island residents*, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; [www.riag.ri.gov](http://www.riag.ri.gov); and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. There are approximately 22365 Rhode Island residents that may be impacted by this event.

